

**NEVADA DEPARTMENT OF
CONSERVATION & NATURAL RESOURCES**

STATE ENVIRONMENTAL COMMISSION

HEARING ARCHIVES FOR

REGULATORY PETITIONS

COMMISSION PETITION NO. 94007

LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-213-93

DOCUMENTS INCLUDED IN THIS FILE:

YES SECRETARY OF STATE FILING FORM

YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B

REGULATORY PETITIONS

ORIGINAL DRAFTED BY COMMISSION

ADOPTED BY COMMISSION

YES AS FILED AND CODIFIED BY LCB

Secretary of State
Filing Data

For Filing Administrative
Regulations

For Emergency
Regulations Only

Effective Date _____

Expiration Date _____

Governor's Signature

Nevada State Environmental Commission

Classification [] Proposed [] Adopted By Agency **[XX]** Temporary [] Emergency []

Brief description of action: Petition 94007 (LCB R-213-93) permanently amended NAC 445.1835(3) by increasing the sewage treatment plant operator certification fees 20 to 25 dollars for initial and reciprocity applications and by including additional fees for related certification documents, such as duplicate certificates, late fee and returned check. The additional fees range from 20 to 30 dollars. The petition repealed the provisional certification fee.

Authority citation other than 233B: NRS 445.201

Notice date: December 22, 1993, December 29, 1993 and January 12, 1994

Hearing date: January 20, 1994

Date of Adoption of Agency: January 20, 1994

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
PETITION 94007
LCB R-213-93**

The following statement is submitted for adopted permanent amendments to Nevada Administrative Code Chapter 445 by the State Environmental Commission (SEC).

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Petition 94007 was noticed three (3) times: December 22, 1993, December 29, 1993 and January 12, 1994 in the Las Vegas Review and Reno Gazette-Journal newspapers. Comments and hearing minutes may be secured from the Office of the State Environmental Commission located in Carson City, Nevada at 333 W. Nye Lane, Room 128. No comments were received from the general public regarding this petition.

2. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1. Comments and hearing minutes may be secured from the Office of the State Environmental Commission located in Carson City, Nevada at 333 W. Nye Lane, Room 128. No comments were received from business regarding this petition.

3. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulations were adopted at the SEC hearing on January 20, 1994 with no further public comment.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects: and
- (b) Both immediate and long-term effects.
 - a. There will be minor immediate and long-term adverse affects associated with the new fee schedule as costs for waste treatment operators certification will increase.
 - b. There are no immediate or long-term economic effects on regulated sources. There are no immediate or long-term economic effects on the public.

5. The estimated cost to the agency for enforcement of the proposed regulation.

There is no additional cost to the agency for enforcement of the proposed regulation.

6. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

There are no other state or government agency regulations which the proposed amendments duplicate.

CODIFIED PERMANENT REGULATION OF THE NEVADA STATE ENVIRONMENTAL COMMISSION

LCB File No. R-213-93

EXPLANATION - Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 445.201

Section 1. 445.1835 is hereby amended to read as follows:

445.1835 1. Each supervisor, assistant supervisor, foreman or shift operator responsible for the operation and maintenance of a plant for sewage treatment must be certified as an operator of a plant for sewage treatment.

2. To apply for certification as an operator of a plant for sewage treatment, a person must submit an application to the division that is accompanied by the appropriate fee. The division shall forward all applications to the board of certification of the Nevada Water Pollution Control Association for review.

3. The following fees must be paid to the division:

Certification	Fee	Period
Operator in Training	\$30	1 year
[Provisional	30	
Initial	40]	
<i>Initial</i>	60	2 years
Reciprocal	[50] 75	2 years

4. *The holder of a certificate must pay to the division a fee of \$20 for each duplicate certificate he requests. A fee of \$25 will be charged to any person whose check is returned to the division because of a lack of funds.*

5. A holder of any certificate issued pursuant to the provisions of NAC 445.183 to 445.186, inclusive, may renew the certificate by submitting a fee of \$30 to the division. *The renewal fee must be paid by not later than the expiration date of the certificate. Except as otherwise provided by subsection 6, the holder of a certificate may renew his certificate after the expiration date of the certificate if he pays, in addition to the renewal fee, a late fee of:*

(a) If the renewal is not more than 1 year late, \$20.

(b) If the renewal is more than 1 year late, \$30.

6. *The holder of a certificate who is decertified by the board of certification of the Nevada Water Pollution Control Association may not renew his certificate.* The renewal *of a certificate* is effective for 2 years.

END OF PETITION 94007 (R-213-93)